

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C. A. NO. 03-12502 ~~RGS~~

NMG

HARTFORD FIRE INSURANCE COMPANY,)
Plaintiff)
)
vs.)
)
EASTERN CONTRACTORS, INC.,)
Defendant/Third Party Plaintiff)
)
vs.)
)
CITY OF LAWRENCE, CITY OF FALL RIVER)
and FREETOWN/LAKEVILLE REGIONAL)
SCHOOL DISTRICT,)
Third-Party Defendants)

MOTION TO EXTEND SCHEDULING ORDER OF MAY 12, 2005
(Assented to)

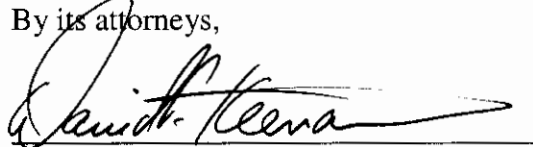
NOW COMES the Defendant/Third-Party Plaintiff, Eastern Contractors, Inc., and hereby moves this Honorable Court to extend by forty (40) days the deadlines and scheduled events as set forth in an order issued by the Court following a Scheduling Conference held in this matter on May 12, 2005. In support of this motion the Defendant/Third-Party Plaintiff states as follows:

1. The Scheduling Conference Order established certain deadlines for the completion of discovery concerning certain issues and responses to a Motion for Partial Summary Judgment filed by the Plaintiff, Hartford Insurance Company.

2. Plaintiff filed its Partial Summary Judgment Motion on or about June 15, 2005 in accordance with the scheduled events in such Conference Order. From the filing of such motion Defendant/Third-Party Plaintiff, Eastern Contractors, is permitted a limited period to conduct certain discovery and prepare a response to such Partial Summary Judgment Motion.
3. Edward J. Quinlan is the principal counsel for Eastern Contractors, Inc. in this matter. From May 26, 2005 until June 27, 2005, Mr. Quinlan was undergoing medical treatment including hospital admission and two surgeries at the Brigham & Women's Hospital for a respiratory problem. Following his discharge from the hospital, Mr. Quinlan has continued with medical treatment and rehabilitation through the month of July 2005 and only recently has resumed a five-day schedule of work.
4. In the interim, Discovery has been ongoing including responses to interrogatories, and most recently the Plaintiff, Hartford Insurance Company, was able to make documents available for inspection and copying on July 29, 2005. Depositions are currently being scheduled; however, additional time will be likely to complete such depositions to permit Eastern Contractors adequate opportunity to present a complete response to the issues and claims presented in the motion for partial summary judgment.
5. Counsel for the Defendant/Third-Party Plaintiff, Eastern Contractors, Inc., has conferred with counsel for all parties and counsel have assented to this motion to extend the time to complete the response under the Scheduling Order from September 15, 2005 until October 25, 2005.

WHEREFORE, the Defendant/Third-Party Plaintiff, Eastern Contractors, Inc., prays that this Honorable Court amend and extend the time for completion of the discovery and events as outlined in the scheduling order of May 12, 2005; the Scheduling Conference for approximately forty (40) days; and for such further relief as the court deems just and proper.

Respectfully submitted,
Eastern Contractors, Inc.
By its attorneys,

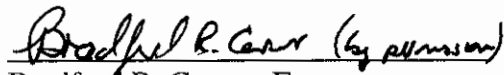


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Dated: August 9, 2005

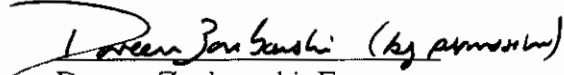
ASSENTED TO

Plaintiff,
Hartford Insurance Company
By its attorneys:



Bradford R. Carver, Esq.
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Hinshaw & Culbertson LLP
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Boston, MA 02210

Third-Party Defendant
City of Lawrence
By its attorneys:



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served on the attorney of record for each other party in this action, by mail, postage prepaid, on August 9, 2005

